

not subsequently brought on the record? My reaction is that there has not been, and I ask you if you agree with that?

Chief CURRY. I agree with that.

Mr. HUBERT. All right, do you have anything else?

Chief CURRY. Not that I know of.

Mr. HUBERT. Thank you very much, Chief.

Chief CURRY. Yes, Sir.

TESTIMONY OF M. W. STEVENSON

The testimony of M. W. Stevenson was taken at 2:15 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Deputy Chief M. W. Stevenson. Chief Stevenson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Chief Stevenson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now Chief Stevenson, you appeared today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission. In fact, under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules adopted by the Commission also provide that a witness may waive this 3-day written notice if he so wishes.

Since you have not received the actual individual 3-day written notice, I ask you if you are now willing to waive that notice and proceed with the taking of this deposition?

Chief STEVENSON. I do.

Mr. HUBERT. Would you stand so I may administer the oath? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Chief STEVENSON. I do.

Mr. HUBERT. Chief Stevenson, you were here and previously deposed, in fact by me, on the night of March 23, 1964, at which time your personal identification and other matters of this sort were recorded, so that it is not necessary to go into that at the present time.

I merely wish to clarify certain areas and perhaps develop others which were found to need clarification or development.

Do you recall what time it was on the 24th of November, 1963, that you reported for duty at the Dallas Police Department?

Chief STEVENSON. I believe around 8 to 8:30. I wouldn't say exactly, Mr. Hubert.

Mr. HUBERT. Did you at that time meet or see Chief Batchelor?

Chief STEVENSON. Yes, sir; I saw Chief Batchelor when I arrived. I believe I was in the basement at that time. I had just driven in shortly before, or he had driven in right behind me, one of the two.

Mr. HUBERT. What occurred then between the two of you and with respect to others?

Chief STEVENSON. We looked the basement over at the time. Of course that early in the morning, there was not much activity. There was some officers in the basement. We went up to the administrative offices.

Mr. HUBERT. Why did you check the basement?

Chief STEVENSON. Because we observed the officers there in the basement and knew that the prisoner would be transferred that particular morning.

Mr. HUBERT. Do you know whether it had been decided at that time whether the actual transfer would be the function and responsibility of the police department or of the sheriff's office?

Chief STEVENSON. No, sir; I don't. I know it was later in the morning when Chief Curry did call the sheriff's office. As far as I know, at that time no plans had been finalized that we would transfer him or that the sheriff would transfer him.

Mr. HUBERT. In any case, the security precautions or measures being then set up, or which had been set up by Captain Talbert already, with reference to the basement would be applicable whether the transfer took place by you or by the sheriff, is that correct?

Chief STEVENSON. Yes, sir; as far as getting him out of the basement.

Mr. HUBERT. Would you consider then that the decision had already been made that the basement method of exit would be used irrespective of who moved the prisoner?

Chief STEVENSON. To my knowledge, that was the only one that we had considered.

Mr. HUBERT. Had there been consideration of the method of transfer prior to Sunday morning at all?

Chief STEVENSON. Not to my knowledge; no, sir. Not as to the method.

Mr. HUBERT. Do you recall a visit to the basement subsequent to that first visit when you arrived and reported for duty?

Chief STEVENSON. No, sir; I had not been in the basement prior to the time I arrived, and of course we drive into the basement.

Mr. HUBERT. I really meant subsequent to that.

Chief STEVENSON. Oh, I am sorry. Yes, we made—Chief Batchelor and I made—I would say, two trips after that.

Mr. HUBERT. Did Chief Curry go with you at any time?

Chief STEVENSON. We met Chief Curry, I believe, one time as he drove in the basement.

Mr. HUBERT. Do you recall any conversation that you or Chief Curry or Chief Batchelor had with Captain Talbert regarding what had been done securitywise to the basement or otherwise?

Chief STEVENSON. No, sir; not to my knowledge.

Mr. HUBERT. Do you know what security plans had been instituted prior to the time that Chief Curry spoke to Sheriff Decker?

Chief STEVENSON. No, sir; not to my knowledge. Nothing more than that I had instructed my detectives to stand by for assignment.

Mr. HUBERT. What assignment was it contemplated that your detectives would have?

Chief STEVENSON. That they would stand by for any assignment that might be needed in the basement at the transfer of Oswald.

Mr. HUBERT. That was irrespective of whether or not the sheriff moved the prisoner or your department did?

Chief STEVENSON. Yes, sir.

Mr. HUBERT. Now do you recall any instructions or orders with reference to the position of the press in the basement?

Chief STEVENSON. Yes; I was——

Mr. HUBERT. Go ahead.

Chief STEVENSON. I was present in the basement when Chief Curry arrived and said the doors would be kept clear across the driveway entering into the basement of the city hall proper. Then all photographers and pressmen would be kept back in the parking area proper, back behind the driveway line.

Mr. HUBERT. In other words, they were to be on the east side of the ramp altogether, is that correct?

Chief STEVENSON. Yes, sir.

Mr. HUBERT. Now was there any change in that?

Chief STEVENSON. Officially, Mr. Hubert, to my knowledge, there was not. Now there may have been some changes made on the scene when the decision was made to use a car instead of the truck. Since the truck was parked up on the ramp and would not come down and clear, there was possibly some changes made on the spot when we found the truck wouldn't come down the ramp and a car would be used for the transfer, to put them as far back north of where the car would be as possible.

Mr. HUBERT. You mean to put the press, to allow them to be there?

Chief STEVENSON. Yes; in other words, behind the car, if possible, and up the Main Street ramp on the Main Street side. I believe there was some up there; yes, sir.

Mr. HUBERT. Now you don't know who made that on-the-spot decision, as you recall it?

Chief STEVENSON. I believe possibly Captain Jones, and he talked with, I believe it was, Chief Batchelor. I am not sure as to what the last minute changes were to get them away from the immediate area there.

Mr. HUBERT. In other words, all the press people prior to the change were on the east side of the railing and on the ramp down from the east-west ramp leading into the garage parking area proper?

Chief STEVENSON. Yes, sir; they were all east of it, both the north and the south ramp.

Mr. HUBERT. Because of the change of plans which required the bringing up of automobiles to get into the ramp leading up Commerce Street, it is your thought it was necessary to alter that, and that someone did alter them to allow some of the press to be on the ramp leading toward Main Street?

Chief STEVENSON. Yes, sir; I believe that is right.

Mr. HUBERT. In fact, how many were there, do you recall?

Chief STEVENSON. No; I don't. I would say there were possibly, when I went down the last time immediately before the transfer, I would say there was possibly 20 to 30 back up the ramp.

Mr. HUBERT. Were any police officers in front of them?

Chief STEVENSON. Oh, yes.

Mr. HUBERT. Now were you present during the conversation between Chief Curry and Sheriff Decker regarding the matter of who would transfer the prisoner?

Chief STEVENSON. No, sir; I don't believe I was in the chief's office at the time he called Sheriff Decker, Mr. Hubert.

Mr. HUBERT. About when did you learn that the police department would actually accomplish the transfer itself?

Chief STEVENSON. It was shortly after he had talked to him. When he advised Chief Batchelor and I that he had called him, I believe Chief Batchelor was with me. He had called the sheriff, and the sheriff had told him that he understood we were to transfer the prisoner, and he told him if that was his wish, we would. As to what time in the morning that was, I would say that was somewhere around 9 o'clock, Mr. Hubert, the best I recollect.

Mr. HUBERT. What makes you fix it at 9 o'clock?

Chief STEVENSON. Because I know between 9 and 10 after that conversation had taken place, Chief Curry and Chief Batchelor and I was in on a part of the discussion of using an armored truck. And Chief Curry instructed Chief Batchelor to see if he could contact an armored truck company who could furnish us one. That was between 9 and 10 when that was done.

Mr. HUBERT. Your thought is that the conversation between Curry and Batchelor was before that, of course?

Chief STEVENSON. Between Curry and Batchelor?

Mr. HUBERT. And Decker, was before that?

Chief STEVENSON. Yes; that was when he found out that we would make the transfer, or when he had advised Chief Batchelor and I that we would.

Mr. HUBERT. Now there was a change of plans from that, and I would like you to state, if you would, what you know about the change of plans, when it occurred, and so forth. That is to say, the decision not to use the armored car.

Chief STEVENSON. I would say that was made, the first of my knowledge, Mr. Hubert, at approximately 11:10. I went up into the homicide bureau on the third floor. Chief Curry and Lieutenant Pierce were in the homicide bureau. Oswald was there in Captain Fritz' office. They had been interrogating him. I went into the office. Chief Curry advised me they had decided to use an automobile for the transfer and use the truck as a decoy. The automobile was more maneuverable.

I said, "O.K., sir." I turned around and went back to the basement.

Mr. HUBERT. Did he tell you any reason other than the maneuverability? That was the whole reason?

Chief STEVENSON. That's right. In view of the threats that we had had, they were going to use the truck as a decoy, and that if they did encounter a group of people on the streets, they could maneuver the car more easily and get around them. I left and went to the basement to notify the men in the basement; Captain Jones, who was my captain.

I met Chief Lumpkin in the hall, and as we went down on the elevator I advised him of the change. Reached the basement. I advised Captain Jones and Chief Batchelor. Now, I didn't advise Captain Talbert because I don't believe I saw Captain Talbert there immediately upon my arrival in the basement.

Mr. HUBERT. So that as far as you know, then the only people who knew of the change of plans was yourself, Chief Curry, Chief Lumpkin, and then you told Batchelor?

Chief STEVENSON. I told Captain Jones and Chief Batchelor and Chief Lumpkin on the way to the basement.

Mr. HUBERT. Now the two detectives, Dougherty and Brown, who were to drive the two cars, were they told what their role was to be?

Chief STEVENSON. Yes; not of my own knowledge, but I understand they had gotten their instructions before they left the homicide office that Dougherty would drive the car containing Oswald and that Brown would be in the car immediately preceding him.

Mr. HUBERT. Now Rio Pierce was told too, I suppose?

Chief STEVENSON. He was instructed to get his car and park it in front of the armored truck as if he was leading the armored truck with the prisoner.

Mr. HUBERT. Was he aware that the armored truck would not contain Oswald?

Chief STEVENSON. Yes, sir; he was in Captain Fritz' office at the time I was instructed that the change had been decided on to take him in a car and use the truck as a decoy. He was to lead the truck down Elm Street as had been planned. The car bearing Oswald would cut down west on Main.

Mr. HUBERT. Brown and Dougherty got their instructions on the third floor in Fritz' office?

Chief STEVENSON. In the homicide office; yes.

Mr. HUBERT. They went down before you did then?

Chief STEVENSON. Oh, yes.

Mr. HUBERT. And their instructions were to get the two cars facing Commerce on the ramp and behind the armored car?

Chief STEVENSON. Yes.

Mr. HUBERT. Do you recall what, if anything, Captain Fritz said when he came out of the jail office immediately prior to the movement of Oswald out of the jail office?

Chief STEVENSON. No, sir; I do not. I was not, oh, I would say I was within 25 feet or that far away from Captain Fritz when they emerged from the jail office door.

Mr. HUBERT. You don't remember whether he asked if things were clear or made any comment?

Chief STEVENSON. To my own knowledge, I don't. I was told that he did make that inquiry of possibly Lieutenant Wiggins, I believe it was.

Mr. HUBERT. What is your thought, Chief, as to what extent the failure of security which occurred was caused by the decision to allow news media into the basement?

Chief STEVENSON. That would be a little difficult question to answer. Of course looking back at it, Mr. Hubert, we can see. But we had, we felt, sufficient officers in there to secure it. And of course looking back on it now, we

can say yes. It would have been better for us if we had not had the press down there. What percent it figured, what percent of the blame you could lay to the fact that the press was down there would be very difficult.

Mr. HUBERT. Do you know of any consideration, if any consideration was given, to establishing some security measures with reference to single-man action against the prisoner rather than mob action against the prisoner?

Chief STEVENSON. Nothing more than that all the officers are instructed that in handling any prisoner charged with a serious crime they should watch for anyone and everyone, any act that might look or seem to be of a suspicious nature.

Mr. HUBERT. Well, I was thinking particularly with reference to the security of Oswald on the 24th. I mean was any consideration given, to your knowledge, of establishing some security measure against a single-man action?

Chief STEVENSON. None in particular. Nothing more than is general procedure on transfer of a prisoner of that nature, or one who has committed a crime in which some relative or friend might want to take vengeance.

Mr. HUBERT. What is that?

Chief STEVENSON. That would be that everyone be kept away from the prisoner, not be permitted to get to the prisoner.

Mr. HUBERT. Were any security measures to that end taken, do you know?

Chief STEVENSON. Nothing more than that the press, and I didn't hear this, was informed in the basement that none of them would attempt to move close to the prisoner for the purpose of talking to him or taking photographs.

Mr. HUBERT. Do you know if any consideration was given to using an entirely different route of transfer than through the basement for the purpose of avoiding the crowded condition in the basement?

Chief STEVENSON. If there was, I have no knowledge of it, Mr. Hubert.

Mr. HUBERT. Did you hear any discussion among anybody that the crowded condition in the basement might pose a greater threat by a single man than if the basement were cleared of everybody whatsoever?

Chief STEVENSON. I didn't hear that subject discussed, I don't believe; no, sir.

Mr. HUBERT. Did you ever hear of any suggestion made that the press be bypassed, as it were, and the prisoner removed in some other fashion?

Chief STEVENSON. Not to my knowledge; no, sir.

Mr. HUBERT. Did you see any officers immediately prior to the time Oswald appeared who had drawn their side arms?

Chief STEVENSON. No, sir.

Mr. HUBERT. Now I understand that the first homicide cars may have had shot-guns or riot guns in them but were not visible.

Chief STEVENSON. No, sir; none were visible, not to my knowledge. I could not see any of them. All of the homicide cars are equipped with rifles and shotguns.

Mr. HUBERT. Did you have anything to do at all with the arrangements for the obtaining of the armored cars?

Chief STEVENSON. No, sir; Chief Batchelor handled that by telephone. He consulted with me on it, but he handled it by telephone.

Mr. HUBERT. Were you present in the basement when the armored car arrived?

Chief STEVENSON. No, sir.

Mr. HUBERT. How long before the actual shooting did you go down to the basement?

Chief STEVENSON. The last time, I would say some 5, between 5 and 10 minutes, not over that.

Mr. HUBERT. In the plan to transfer Oswald down the elevator to the jail office and in the jail corridor into the automobile waiting on the ramp, was there any arrangement made so that Captain Fritz or others would give a signal or would be given a signal as to when to come through?

Chief STEVENSON. I understand—I didn't hear this—but they called down from upstairs, notified the jail sergeant that they were leaving the third floor, and that the jail elevator sergeant observed the elevator on its downward journey when he was there in the jail office. When the jail elevator door opened, Captain Fritz stepped out, followed by the men with the prisoner.

Mr. HUBERT. When you say the man in the jail office followed the elevator down, you mean he followed the lights to show the progress?

Chief STEVENSON. Observed it as it came down ; yes.

Mr. HUBERT. Chief Stevenson, has there been any discussion between you and I today which has not been covered in this deposition? I mean, did we have any conversation or any discussion today that has not become a part of the recorded deposition?

Chief STEVENSON. You mean our previous deposition?

Mr. HUBERT. No; today.

Chief STEVENSON. Not to my knowledge ; no, sir.

Mr. HUBERT. That is my recollection, that we simply exchanged greetings, but other than that we have not spoken except during the time that your deposition was being taken?

Chief STEVENSON. That's right.

Mr. HUBERT. Thank you very much, sir. Do you have anything you want to add or say?

Chief STEVENSON. Mr. Hubert, I don't know what it would be. I hope I have covered everything.

Mr. HUBERT. Thank you, sir.

TESTIMONY OF ELGIN ENGLISH CRULL

The testimony of Elgin English Crull was taken at 1:40 p.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of City Manager Elgin E. Crull. Mr. Crull, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Crull, the nature of the inquiry today is to determine what facts you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry.

Now I understand, sir, that you have appeared here today by virtue of a letter requesting you to do so, addressed by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, is that correct?

Mr. CRULL. That's correct.

Mr. HUBERT. When did you receive that, sir?

Mr. CRULL. I would have to guess. He didn't stamp it. The letter is dated July the 8th.

Mr. HUBERT. Sometime last week?

Mr. CRULL. I received it about last Thursday.

Mr. HUBERT. That would be July 9?

Mr. CRULL. Yes.

Mr. HUBERT. All right, sir, would you stand and raise your right hand, please? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRULL. I do.

Mr. HUBERT. Would you state your full name?

Mr. CRULL. My name is Elgin English Crull.

Mr. HUBERT. Where do you reside, sir?